

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
SUTH D. LEVY
SUTH 2492
805 SOUTH FIGUEROA STREET
LOS ANGELES, CA 90017 2806

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(R. 7 Rule 44.1)

Date of mailing (date/month/year)	29 DEC 2005
FOR FURTHER ACTION See paragraphs 1 and 4 below	
International filing date (date/month/year)	05 April 2005 (05.04.2005)

Applicant's reference for reference
(77/80 177)

International application No.
10/TAS/05/11460

Applicant
CEDARE SIGNAL MEDICAL CENTER

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Place of amendments and statement under Article 19.

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46).

When? The time limit for filing such amendments is usually two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 738.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the International Searching Authority is transmitting the written opinion of the International Searching Authority as transmitted herewith.

3. ☐ With regard to the pre-grant payment of the additional fees under Rule 41.1, the applicant is notified that:

- ☐ the pre-grant payment with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the present and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the pre-grant, the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 20bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date in some Offices, even later; otherwise, the applicant must, within 20 months from the priority date, perform the procedure set by the entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months or later will apply even if a demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US
Mail Stop, PCT, Attn: ISAF/US
Commissioners for Patents
P.O. Box 1200
Alexandria, Virginia 22319-1200

Patent No. (571) 273 1201

Form PCT/ISA/220 (January 2004)

Authorized officer

Janet L. Thompson

Telephone No. (571) 272-4500

RECEIVED

Davis Wright Tremaine LLP

JAN 03 2006

(See notes on accompanying sheet)

PATENT COOPERATION TREATY

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INTERNATIONAL SEARCH REPORT

(PCT Article 12 and Rules 43 and 44)

Applicant's or agent's file reference: 67189-127	FOR FURTHER ACTION International Phase (file <i>checked with priority</i>) 05 April 2003 04:04:2003	see item IV TIEA 1.27 as well as, where applicable, item 5 below (Earliest Priority Date <i>indicated in the report</i>) (06 April 2003) (06.01.2003)
Applicant: CHODAK SINAI MEDICAL CENTER		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International search report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

- a. With regard to the language, the international search was carried out on the basis of:
- ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12, 43 and 23.1(b))
- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. 1
- c. ☐ Certain claims were found unsearchable (See Box No. 1)
- d. ☐ Unity of invention is lacking (See Box No. 1)
- e. With regard to the title,
- ☒ the text is approved as submitted by the applicant
 - ☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

a. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1
- ☒ as suggested by the applicant,
 - ☐ as selected by this Authority, because the applicant failed to suggest a figure
 - ☐ as selected by this Authority, because this figure better characterizes the invention.
- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

Inventor and application No.

IN 2003/11466

A. CLASSIFICATION OF SUBJECT MATTER

IPC Class. Adv. Pub. No. C12N 1/509

IPC Class. Adv. Pub. No. C12N 1/509

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELD SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 51454; 435320.1

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search stage of this phase and, where practicable, search terms used:
Please See Classification Sheet

C. RELEVANT INFORMATION CONSIDERED TO BE RELEVANT

Category	Content of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P.N.	SHARIF et al. AAV serotype dependent apolipoprotein A-I Milano gene expression in Atherosclerosis, August 2003, Vol. 181, No. 2, pages 361-369.	1, 3, 8, 10, 13, 15, 17, 19, 21, 23
N	PANSTIRK et al. Helper dependent retroviral vector mediated long term expression of human apolipoprotein A-I reduces atherosclerosis in apo E-deficient mice. Gene. March 2004, Vol. 327, No. 2, pages 133-140.	

☐ Further documents are listed in the continuation of Box C.

Continuation of Box C

☐ See patent family annex.

"a"	document contains the actual state of the art which is not considered to be in particular relevance	"a"	document published after the international filing date or priority date and can be considered relevant for the purposes of the search
"b"	document published or published in or after the international filing date	"b"	document of particular relevance, the document has been considered to be relevant for the purposes of the search
"c"	document which has been chosen as primary document or which is cited or quoted in the publication date of another document or other special reason for selection	"c"	document of particular relevance, the document has been considered to be relevant for the purposes of the search
"d"	document published in an official journal, the publication of other states	"d"	document of particular relevance, the document has been considered to be relevant for the purposes of the search
"e"	document published prior to the international filing date but after the priority date of the invention	"e"	document published prior to the international filing date but after the priority date of the invention

12 December 2003 (12.12.2003)

Name and mailing address of the ISA/ISA

Mail Stop PCT, Attn: ISA/ISA

Commission for Patents

P.O. Box 1450

Neuchâtel, Valais 2003-11466

Filing date (No. 12.12.2003)

Date of mailing of the international search report

Authorized officer

Janet L. Hays Reed

Telephone No. (571) 272-0581

Form PCT/ISA/210 (revised sheet) (April 2003)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US85/11956

Continuation of B. FIDELIS SEARCHED Item 3:
CA-Pat. Medicine, USPAT. EPO, JPO, Derwent
search terms: angiotensinogen A1, A1 inhibition, infan@jpl.yorke

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
RETHU 13, 115V
BOUTE 1466
865 SOUTH HIGHWAY STREET
LOS ANGELES, CA 90017 2566

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing <i>(day/month/year)</i>		Date of filing <i>(day/month/year)</i>	
Applicant's or agent's file reference		FOR FURTHER ACTION See paragraph 2 below	
9778/9777	International application No.	International filing date <i>(day/month/year)</i>	Priority date <i>(day/month/year)</i>
IN/US/03/11466	15 April 2003 (15.04.2003)	06 April 2003 (06.04.2003)	
International Patent Classification (IPC) or both national classification and IPC			
IPC Cl. A61K 43/04, C12N 1/00 and US Cl. 51444, 438/30			
Applicant			
CYDARS-BINAL MEDICAL CENTER			

1 This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2 FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 61, *third*, that written opinions of this International Searching Authority will not be considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 2 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220.

3 For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IJS Mail bag: PCT, Attn: ISA/IJS Country office for Patents P.O. Box 1456 Managua, V. Rep. 22519 1456	Date of completion of this opinion	Authorized officer
	12 December 2003 (12.12.2003)	James L. Hays Ford <i>J. Roberts for</i> Telephone No. (501) 272 6760

Previously: 2003/0713 E33 3211
Form PCT/ISA/220 (cover sheet) (April 2003)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US89/1468

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 13.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ tabularly related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/submitting

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form
☐ furnished separately to the Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or tabularly relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB95/01466

Box No. V Reasoned statement under Rule 43 bis.1(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 2, 3, 7, 9, 14, 16, 28, 31-34	YES
	Claims 1, 3, 8, 10-13, 15-17, 19-27, 29-31, 34	NO
Inventive step (IS)	Claims 2, 4, 7, 9, 14, 18, 28, 33-35	YES
	Claims 1, 3, 8, 10-13, 15-17, 19-27, 29-31, 35	NO
Industrial applicability (IA)	Claims 1-35	YES
	Claims NONE	NO

2. Citations and explanations:

Claims 1, 3, 8, 10-13, 15-17, 19-27, 29-31, and 35 lack novelty under PCT Article 33(2) as being anticipated by Pascoe et al.

Pascoe et al. teach helper dependent adenoviral vector mediated long-term expression of apolipoprotein A1, wherein expression of human Apo A1 reduces atherosclerosis in an apo E deficient mouse.

Claims 1, 3, 8, 10-13, 15-17, 19-27, 29-31, and 35 lack an inventive step under PCT Article 33(3) as being obvious over Pascoe et al. For the reasons set forth above.

Claims 1-35 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.